

R E M A R K S

Applicants have carefully considered the above identified Office Action, and in response thereto is addressing each issue raised by the examiner in the remarks hereinbelow. In this regard, applicant is canceling without prejudice claims 3, 6, 7 and 9 - 20; amending claims 1 and 8; and adding claims 21 - 34.

Election/Restrictions

Applicants elect to prosecute Species II - Figs. 1a & 3a without traverse. Claims 1, 2, 4, 5 and 8 are readable on Figs. 1a & 3a. However, claims 1, 21 and 29 are generic and also encompass Figs. 7 - 9.

Claim Rejection 35 USC 102(b)

Applicants have amended claim 1 by extending a scent tube from the dispenser and forming at least one scent opening through the scent tube. The Baker '904 patent does not teach or suggest at least one scent opening formed through a scent tube for application of a scent that acts as a bait to draw unwanted pests to the poison retention area. Claims 3, 6, 7 and 9 - 20 have been canceled, therefore the rejection concerning these claims is moot. All claims dependent upon a newly allowable base claim are also allowable.

Claim Rejection 35 USC 103(a)

Applicants have canceled claims 7, 13 and 19, therefore the rejection concerning these claims is moot.

C O N C L U S I O N

It is respectfully submitted that applicants have responded in a fully satisfactory manner to all matters at issue in this application, and this application is now in condition for allowance. In this regard, applicants have made every effort to comply with the requirements set forth in this Office Action as well as statutory requirements. Accordingly, applicants respectfully request that the Examiner enter this amendment, allow the claims, and pass this application on to issue.

Respectfully submitted,



Donald J. Ersler
Reg No. 38,753

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Donald J. Ersler
Attorney at Law
725 Garvens Avenue
Brookfield, Wisconsin 53005
Phone: (262) 785-0160
Fax: (262) 785-0162